

1 10A NCAC 13P .1511 is adopted with changes as published in 30:24 NCR, pp. 2558-2606, as follows:

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3 **10A NCAC 13P .1511 PROCEDURES FOR QUALIFYING FOR AN EMS CREDENTIAL**
4 **FOLLOWING ENFORCEMENT ACTION**

5 (a) Any individual who has been subject to denial, suspension, ~~revocation~~ revocation, or amendment of an EMS
6 credential ~~must~~ shall submit in writing to the OEMS a request for review to determine eligibility for credentialing.

7 (b) Factors ~~to be considered by~~ the Department shall consider when determining eligibility shall include:

8 (1) the reason for administrative action, ~~that includes:~~ including:

9 (A) criminal history;

10 (B) patient care;

11 (C) substance abuse; and

12 (D) failure to meet credentialing ~~requirements.~~ requirements;

13 (2) the length of time since the administrative action was taken; and

14 (3) any mitigating or aggravating factors relevant to obtaining a valid EMS credential.

15 (c) In order to be considered for eligibility, the individual ~~must:~~ shall:

16 (1) wait a minimum of 36 months following administrative action before seeking review; and

17 (2) undergo a ~~national~~ criminal history background check. If the individual has been charged or
18 convicted of a misdemeanor or felony in this or any other state or country within the previous 36
19 months, the 36 month waiting period ~~will~~ shall begin from the date of the latest charge or
20 conviction.

21 (d) If determined to be eligible, the Department shall grant authorization for the individual to begin the process for
22 EMS credentialing as ~~defined set forth~~ in Rule .0502 of this Subchapter.

23 (e) Prior to enrollment in an EMS educational program, the individual ~~must~~ shall disclose the prior administrative
24 action taken against the individual's credential in writing to the EMS ~~educational institution.~~ Educational Institution.

25 (f) An individual who has undergone administrative action against his or her EMS credential is not eligible for legal
26 recognition as defined in G.S. 131E-159(d) or issuance of a temporary EMS credential as defined in G.S. 131E-
27 159(e).

28 (g) For a period of 10 years following restoration of the EMS credential, the individual ~~must~~ shall disclose the prior
29 administrative action taken against his or her credential to every EMS System, Medical Director, EMS Provider, and
30 EMS Educational Institution ~~in which the~~ where he or she is affiliated and provide a letter to the OEMS from each
31 verifying disclosure.

32 (h) If the Department determines the individual is ineligible for EMS ~~credentialing.~~ credentialing pursuant to this
33 Rule, the Department shall provide in writing the reason(s) for denial and inform him or her of the procedures for
34 contested case hearing as ~~defined set forth~~ in Rule .1509 of this Section.

36 *History Note:* Authority G.S. 131E-159(g); 143-508(d)(3); 143-508(d)(10);

37 Eff. January 1, 2017.